

**AUG 15 2003**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**CATHY A. CATTERSON**  
**U.S. COURT OF APPEALS**

TAMMY BURGETT, individually and on  
behalf of all others similarly situated,

Plaintiff-Appellant,

v.

SAFECO NATIONAL INSURANCE  
COMPANY,

Defendant-Appellee.

No. 02-35429

D.C. No. CV-99-00013-DWM

ORDER

Before: LAY,\* GOODWIN, and GOULD, Circuit Judges.

The panel of judges have voted to grant the petition for panel rehearing filed by appellee. The petition for panel rehearing is GRANTED. The Memorandum disposition filed on July 17, 2003, is hereby withdrawn. A new Memorandum disposition will be filed simultaneously with this Order.

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\* The Honorable Donald P. Lay, Senior United States Circuit Judge for the Eighth Circuit, sitting by designation.